

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JOHN F. KOCIENSKI,

Plaintiff(s),

v.

NRT TECHNOLOGIES, INC.,

Defendant(s).

Case No. 2:16-CV-905 JCM (CWH)

ORDER

Presently before the court is the matter of *Kocienski v. NRT Technologies, Inc.*, case number 2:16-cv-00905-JCM-CWH. On March 15, 2018, the court granted NRT Technologies, Inc.'s ("defendant") motion for summary judgment. (ECF No. 32). John F. Kocienski ("plaintiff") appealed the court's decision (ECF No. 34), and the Ninth Circuit reversed (ECF Nos. 42; 43).

Since the court entered the order on mandate (ECF No. 45), this case has stalled. To be clear, the court's prior order (ECF No. 32) is vacated, and defendant's motion is denied consistent with the Ninth Circuit's memorandum (ECF No. 42). The parties are ordered to file a joint status report regarding this action within 30 days.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the court's prior order (ECF No. 32) be, and the same hereby is, VACATED, consistent with the Ninth Circuit's decision.

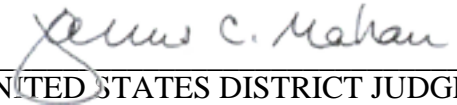
IT IS FURTHER ORDERED that defendant's motion for summary judgment (ECF No. 32) be, and the same hereby is, DENIED.

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1 IT IS FURTHER ORDERED that the parties shall file, within 30 days of this order, a joint  
2 status report regarding this action.

3 DATED April 17, 2020.

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5 UNITED STATES DISTRICT JUDGE  
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